

Attorney's Docket 081468-0307394  
Client Reference: P-1788.000-US

RECEIVED  
CENTRAL FAX CENTER

DEC 27 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
MARTINUS G.H. BOOGAARTS ET AL.

Confirmation No: 2869

Application No.: 10/747,617

Group Art Unit: 2878

Filed: December 30, 2003

Examiner: MONBREAU, Davienne N

Title: LITHOGRAPHIC APPARATUS AND DEVICE MANUFACTURING METHOD

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers are being facsimile  
transmitted to the Patent and Trademark Office at (571) 273-8300 on the date  
shown below:

Response to Restriction Requirement

PILLSBURY WINTHROP SHAW PITTMAN LLP



E. R. HERNANDEZ  
Reg. No. 47641

Date: December 27, 2005  
P.O. Box 10500  
McLean, VA 22102  
Telephone: (703) 770-7900  
Facsimile: (703) 770-7901

(Certification of Facsimile Transmission--page 1)

RECEIVED  
CENTRAL FAX CENTER

DEC 27 2005

Attorney Docket: 081468-0307394  
Client Reference: P-1788.000-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
BOOGAARTS ET AL.  
Application No.: 10/747,617

Confirmation Number: 2869

Group Art Unit: 2878

Filed: December 30, 2003

Examiner: MONBREAU, Davienne  
N

Title: LITHOGRAPHIC APPARATUS AND DEVICE MANUFACTURING  
METHOD

- RESPONSE TO RESTRICTION REQUIREMENT -

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement dated December 12, 2005, the Applicants provisionally elect to pursue the invention of Group I for further prosecution in the above application, *with traverse*.

It is respectfully submitted that the subject matter of each of the groups is sufficiently related that a thorough search and examination of any one group would necessarily encompass the search and examination of the remaining group. For example, independent claim 1 recites a lithographic projection apparatus, comprising: a housing; a first exposure system having at least one movable part, said at least one movable part being located within said housing, said first exposure system including: (i) a radiation system configured to provide a beam of radiation; (ii) a support structure configured to support a patterning device that serves to impart the beam of radiation with a pattern in its cross-section; (iii) a first substrate holder for holding a substrate; (iv) a projection system configured to project the patterned beam onto a target portion of said substrate; (v) a positioning device configured to position said first substrate holder relative to said projection system; (vi) a first control unit configured to control

400298227v1

**BOOGAARTS et al. – 10/747,617**  
**Attorney Docket No. 081468-0307394**

said positioning device; and (vii) a position disturbance correction system constructed to counteract a disturbance of a position of said first substrate holder, wherein the disturbance is caused by gas movements induced by movement of said at least one movable part.

Independent claim 26 recites a device manufacturing method for use with a lithographic projection apparatus comprising a first exposure system and a second system, wherein said exposure system comprises a radiation system configured to provide a beam of radiation, a support structure for supporting a patterning device that serves to impart the beam of radiation with a pattern in its cross-section, a first substrate holder for holding a substrate, a projection system constructed for projecting the patterned beam onto a target portion of said substrate, a positioning device for positioning said substrate holder relative to the projection system, and a first control unit constructed for controlling said positioning device; and wherein said second system comprises at least one of a corresponding second exposure system and a measurement system, said measurement system comprising a second substrate holder for holding a second substrate, a measurement device constructed for projecting onto a target portion of the second substrate a measurement beam for measuring at least one of a surface property and a substrate marker position of said target portion, and a second control unit constructed for moving a movable part of the measurement system such that the second substrate is movable with respect to the measurement beam, said method comprising: providing a first substrate and a second substrate; projecting the patterned beam of radiation onto a target portion of the first substrate; and measuring said at least one of a surface property and a substrate marker position of said target portion, wherein, during said measuring of at least one of a surface property and a substrate marker position of said target portion, at least one of speed and acceleration of said second substrate holder is reduced to a corresponding speed value and acceleration value, which is less than a respective predetermined maximum speed value and a predetermined maximum acceleration value, when a distance between said first substrate holder and said second substrate holder is less than a predetermined minimum distance value.

BOOGAARTS et al. — 10/747,617  
Attorney Docket No. 081468-0307394

Independent claim 27, recites a device manufacturing method comprising: providing a lithographic projection apparatus comprising an exposure system and a measurement system, said measurement system comprising a substrate holder for holding a substrate, a measurement device constructed for projecting onto a target portion of the second substrate a measurement beam for measuring at least one of a surface property and a substrate marker position of said target portion; and a control unit constructed for moving a movable part of said measurement system such that said substrate is movable with respect to the measurement beam; providing a substrate; projecting the patterned beam of radiation onto a target portion of said substrate; measuring at least one of a surface property and a marker position of said substrate, wherein said substrate is accelerated during at least a part of said measuring at least one of a surface property and a marker position of said substrate.

It is respectfully submitted that the search and examination of the entire application can be made without a serious burden and that the criteria for a proper restriction requirement set forth in MPEP §803 have not been satisfied. MPEP §803 states “[i]f the search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions.” (*Emphasis added.*)

As evidence of this, Applicants submit that the subject matter of Groups I, II, and III, are sufficiently related that a thorough search and examination of any one Group would necessarily encompass the search and examination of the remaining Groups. In particular, Examiner specifies that Groups I, II, and III are all classified in the same identical classification - class 250, sub-class 548.

Accordingly, Applicants respectfully submit that the Restriction Requirement should be withdrawn to prevent unnecessary expense to Applicants and duplicative examination by the Patent Office.

**BOOGAARTS et al. -- 10/747,617**  
Attorney Docket No. 081468-0307394

Reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Respectfully submitted,

**PILLSBURY WINTHROP  
SHAW PITTMAN LLP**



E. RICO HERNANDEZ  
Reg. No. 47,641  
Tel. No. (703) 770-7788  
Fax No. (703) 770-7901

December 27, 2005  
P.O. Box 10500  
McLean, VA 22102  
(703) 770-7900  
Customer No. 00909